

WASHINGTON, D. C. 20505

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Office of Legislative Counsel

OLC 78-2023  
(response to

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1 JUN 1978

~~8-1 MAY 1978~~

Honorable Birch Bayh, Chairman  
Select Committee on Intelligence  
United States Senate  
Washington, D.C. 20510

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INT PACK  
SALT

Dear Mr. Chairman:

I have your letter of 16 May (Q#3357) to the Director requesting additional information related to the anticipated SALT II treaty. Work on this subject is underway, and we will keep you informed regarding our progress.

Sincerely,

/s/

[Redacted]  
Acting Legislative Counsel

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Distribution:

Original - Addressee

- 1 - CSS/NEAC [Redacted]
- 1 - OLC Subject
- 1 - OLC Chrono

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OLC:DFM:hms (30 May 1978)  
Retyped OLC:DFM:hms 31 May 1978



Washington, D.C. 20505

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1 June 1978

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Honorable Edward P. Boland, Chairman  
Permanent Select Committee on Intelligence  
House of Representatives  
Washington, D.C. 20515

Dear Mr. Chairman:

We have been in contact with your Chief Counsel, Mr. Michael O'Neil, to discuss our concerns with certain provisions in H.R. 12598, the "Foreign Relations Authorization Act, Fiscal Year 1979," which has just been passed by the House. Mr. O'Neil has requested that we submit the Director's views formally to your Committee.

Title V of H.R. 12598, entitled "Science, Technology and American Diplomacy," includes provisions apparently designed to consolidate policy control of international activities involving science and technology under the Secretary of State.

Briefly, in our view, the provisions in Title V present problems because the underlying terminology--"science and technology" activities, initiatives and agreements--is not defined and, as a result, the provisions could be fairly construed as applying to activities involving intelligence activities conducted by the CIA concerning, for example, intelligence and internal security services of foreign governments insofar as such activities might involve "science or technology" matters. While we have no quarrel with the concept that national foreign intelligence activities should be fully consistent with foreign policy objectives, this legislation could be construed to require unnecessary proliferation of detailed information regarding intelligence relationships with foreign governments within the Executive Branch and the Congress. Intelligence relationships with foreign governments, including relationships involving highly sophisticated and technologically advanced collection systems, are among the most sensitive of intelligence sources and methods, and proliferation of information concerning those relationships could not only jeopardize cooperation with respect to particular activities, but also jeopardize cooperation in general, and valuable intelligence could be lost.